



Fax. no. 703 305 9822. Attn: MR. PETERSON-K.E.

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India. <baddepudi40@yahoo.com>

7  
July 8, 2005

To,  
The Commissioner for Patents.  
Alexandria, Virginia, USA.

Dear Sir or Madam,

My application no.10/042,433, your notice of abandonment D . June 17,2005.

CIP application no. 11/ 041,085.

I would like you to consider the following while finalizing the abandonment.

I have enclosed the following three documents along with the CIP application on Jan 12,2005.

1.A two page covering letter dated Jan 12,2005 . A copy is enclosed by Mail. This letter explains the background for the CIP application.

2.A two page note d. Jan,12,2005 ,explaining some details of the CIP application.  
I am enclosing a copy of this note also for easy identification.

3.A detailed note of 21 pages. This note contains detailed evidence and reasons as to why the rejection of my Invention on grounds of anticipation and obviousness is not correct . The subject matter which is rejected on Nov,12,2004, namely "Multi knife cutting device, Inclined cutting action" is the only embodiment left in the application after the election as required by your office. Now the same invention is the subject matter of the CIP application.The 21 page note is highly relevant to the CIP application and is requested to be made part of the new CIP application file. It should not be closed along with the abandonment of the old application 10/042,433.

The above three documents should become part of the CIP application file as they are relevant to the CIP application.

July 7, 2005  
Page 2

There is an embodiment titled "Multi knife cutting device, Rotary action" in the original application. This was deleted at the time of election in Aug 2004. I intend to make a fresh Patent application for this embodiment sometime in the future. As it is my own invention I feel there should not be any objection on grounds of previous publication. I request you to inform me whether the abandonment of the old application will affect my right for a new application for the "Rotary action Multi knife cutting device" as explained above.

I agree that I have not replied to the final rejection as per 37 CFR 1.113 a. The two page letter mentioned in Sl.no.1 above explains my stand on the final rejection.

I have no objection to the abandonment of the old application subject to the above points. Request a reply containing your views.

Sincerely,



B. Gopinath

Encl: Two letters as mentioned in sl.no. 1 & 2 - Sending by Post.



COPY

B.Gopinath,

Flat 301, 16-11-310-8, Salimnagar, Hyderabad-500036, India.

Application no.	Filing date	Inventor
10 / 042,433	Jan 10th 2002	Gopinath.B.

Date : Jan 12, 2005

To,  
The Commissioner for Patents,  
Alexandria, Virginia, USA.

Dear Sir,

Ref : Your letter of Nov 12,2004, Final action , Rejection of claims.

Continuation in part application , multi knife cutting device, benefit of pending application.

The pending claims have been rejected on the grounds of new matter , anticipation and obviousness. I am confident about the novelty of my invention . The evidence advanced by the examiner regarding anticipation and obviousness in his final action is not very convincing.

In view of this , I am acting as follows.

- I ) Submit a "Continuation in part application " for the same invention with a request for the benefit of the filing date under 35 USC 120 .
- II ) submit a detailed reply with evidence to establish that the invention is not anticipated or made obvious by the references relied on by the examiner.

With the submission of continuation in part application for the invention ' multi knife cutting device' which is the subject of rejection in the letter mentioned in the reference, the rejection due to " new matter and requirement of written description " grounds will not be relevant. Other minor irregularities have been corrected in the new application.

I request an objective consideration of my reply regarding the nonanticipation and nonobviousness of my invention.

I am submitting the following information regarding the continuation in part application on a separate page to explain the background and changes from the pending application. I thought this may be useful to the examiner.

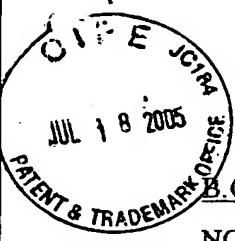
- i. Disclosure dates of the invention,
- ii. Details of differences with the pending application,
- iii. Note on the redrafted claims.

I am arranging to send a check for the application filing fees through my son B.Ramesh who is in Toronto.

I request you to connect it with the continuation in part application. He will be enclosing a fee transmittal form with relevant details so that there will be no difficulty in connecting it to the application which I am posting . The last date for my reply is February 11. I hope to see the acknowledgement of my reply on the public PAIR site before that date.

*Boggs*

B. Gopinath.



COPY

B. Gopinath.

MULTI KNIFE CUTTING DEVICE Application no. 10/ 042,433.

NOTE on Continuation in part Application for the same invention.

Jan 12, 2005

1. Benefit of filing date. Historical data.

Original application filing date : Jan, 10. 2002

Date on which the present embodiment of the invention  
was mailed to USPTO with a request for inclusion. Jan 30, 2003.

Filing of this request by USPTO. Feb. 12, 2003

2. Details of changes in the specification of C-I-P application

Background of the invention.

Details regarding single knife cutting as prior art deleted.

Drawings.

Figure number 3 showing the arrangement of handles is added. There is no change in figure nos. 1 and 2 showing the original invention.

Detailed description.

Some words have been replaced to improve clarity.

One paragraph is added to describe the details of cutting action, as compared to prior art.

3. Claims.

The claims have been redrafted to correct the mistakes identified by the examiner and to modify, so that the condition " distinctly claiming the invention" is better implemented. There is no change in the invention or the novel features.

I am quoting from MPEP guideline 608.01 (m) to show the basis for some changes I have made in the claims.

"Reference characters corresponding to elements recited in the detailed description and the drawings may be used in conjunction with the recitation of the same element in the claims . The reference characters should be enclosed within parentheses so as to avoid confusion."

" Many of the difficulties encountered in the prosecution of patent applications after final rejection may be alleviated if each applicant includes, at the time of filing , claims varying from the broadest to which he believes he is entitled to, to the most detailed that he is willing to accept."

I have included the part numbers in brackets in claim number 2 as the above guideline says it is allowed.

Claim numbers 1 and 2 are independent claims. I have drafted claim no.1 in broad terms including all the features in one claim. Claim no.2 to 5 claim the invention in detailed terms.

Claim no.2 and 3 together claim all the structures of the invention in detail.

Claims 3,4,5 are all dependent on claim 2.

Claim 4 describes the functional capabilities of the new structures of the invention.

Claim 5 claims the multiple functional capability of the base cum guide.

I have followed the second guideline quoted above in drafting the claims now.



B. Gopinath.